

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE OFFICE OF THE COMMISSIONER
OF BASEBALL,

Petitioner,

v.

MICHAEL S. SITRICK,

Respondent.

Case No. 13 Civ. 7990 (ER) (ECF Case)

**DECLARATION OF
JORDAN W. SIEV IN
OPPOSITION TO PETITION,
IN OPPOSITION TO MOTION
TO COMPEL, AND IN SUPPORT
OF CROSS-MOTION TO QUASH**

1. I, Jordan W. Siev, hereby submit this declaration under penalty of perjury pursuant to 28 U.S.C. § 1746. All of the facts stated herein are based upon my personal knowledge, except for those facts which are stated to be upon information and belief, and as to those, I have been informed and believe them to be true.

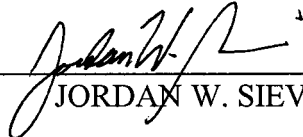
2. I am a partner at the law firm of Reed Smith LLP, attorneys for intervenor and cross-movant Alexander Emmanuel Rodriguez (“Cross-Movant” or “Mr. Rodriguez”) in the above-captioned action.

3. I submit this declaration in support of Mr. Rodriguez’s: (1) cross-motion to intervene in this action pursuant to Fed. R. Civ. P. 24; (2) opposition to the Verified Petition filed on October 29, 2013 (the “Petition”) by Petitioner The Office of the Commissioner of Baseball (“Petitioner” or the “Commissioner”), and removed to this Court on November 8, 2013 by Respondent Michael S. Sitrick (“Mr. Sitrick” or “Respondent”); (3) opposition to the Commissioner’s motion to compel filed on November 12, 2013 by order to show cause (the “Motion”); and (4) cross-motion pursuant to Fed. R. Civ. P. 45(c) to quash the Arbitration Subpoena (the “Subpoena”) issued on or about September 19, 2013, on behalf of the

Commissioner to Mr. Sitrick, or in the alternative for a protective order limiting the Subpoena pursuant to Fed. R. Civ. P. 26(c).

4. Attached hereto as Exhibit A is a true and correct copy of the Subpoena.
5. Attached hereto as Exhibit B is a true and correct copy of a letter dated September 27, 2013 from counsel to Mr. Sitrick, McKool Smith Hennigan P.C., objecting to the Subpoena.
6. Attached hereto as Exhibit C is a true and correct copy of an excerpt from the Report to the Commissioner of Baseball of an Independent Investigation into the Illegal Use of Steroids and Other Performance Enhancing Substances by Players in Major League Baseball, George J. Mitchell, DLA Piper US LLP, December 13, 2007.
7. Attached hereto as Exhibit D is a true and correct copy of the Complaint filed in New York State Supreme Court on October 3, 2013 in *Rodriguez v. Major League Baseball*, et al., Index No. 653436/2013, and removed to this Court on October 7, 2013, No. 13 Civ. 7097.
8. I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
November 15, 2013



JORDAN W. SIEV